

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C., 20231, on:

Date:

January 29, 2002

By:

James J. Mahony

PATENT

Packet No. 54600.8183.US06

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

Reyes, *et al.*

EXAMINER: Unknown

SERIAL NO.: 09/851,410,

ART UNIT: 1634

FILED: May 7, 2001

FOR: DNA SEQUENCES OF ENTERICALLY
TRANSMITTED NON-A/NON-B
HEPATITIS VIRAL AGENT

Response to Notice to File Missing
Parts of Application

Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

1. In response to the Notice to File Missing Parts mailed October 29, 2002 (copy enclosed), applicant submits the following:

- ☒ A Petition for 1-Month Extension of Time
- ☒ A substitute specification

2. Conditional Petition for Extension of Time

Applicant petitions for an Extension of Time if necessary for timely filing of this Response.

3. Fee Payment

- ☒ Copies of 4 Inventor Declarations from parent Application No. 08/279,823 were filed along with the original application on May 7, 2001, therefore no late filing surcharge for the Declaration is believed to be due.

- ☒ The filing fee has been calculated taking into account the Preliminary Amendment filed August 7, 2001 as follows:

| For: | (Col. 1) No. Filed | (Col. 2) No. Extra | Small Entity | | | Other Than a Small Entity | |
|---|-----------------------|-----------------------|--------------|----------|----|---------------------------|----------|
| | | | Rate | Fee | | Rate | Fee |
| Basic Fee | | | | \$370.00 | or | | \$740.00 |
| Total Claims | 17 - 20 | 0 | x \$ 9 = | \$ | or | 0 x \$ 18 = | \$ |
| Independent Claims | 1 - 3 | 0 | x \$42 = | \$ | or | 0 x \$ 84 = | \$ |
| <input type="checkbox"/> Multiple Dependent Claim Presented | | | - \$140 = | \$ | or | - \$280 = | \$ |
| *If the difference in Col. 1 is less than zero, enter "0" in Col. 2 | | | TOTAL | \$ | or | TOTAL | \$740.00 |

- ☒ Please charge \$850.00 in payment of the basic filing fee (\$740.00) and the 1-month extension fee (\$110.00) to Deposit Account No. 50-0665; this paper is provided in triplicate.
- ☒ Please charge any underpayment for timely filing of this Response to Deposit Account No. 50-0665.

Respectfully submitted,



Larry W. Thrower
Registration No. 47,994

Date: 1-27-02

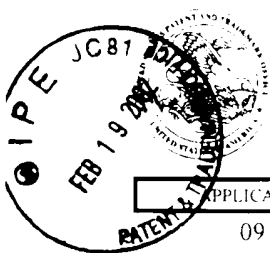
Correspondence Address:

Customer No. 22918
Phone: (650) 838-4300

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ORIGINALLY FILED

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20503
www.uspto.gov



| APPLICATION NUMBER | FILING RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09 851,410 | 05 07 2001 | Gregory R. Reyes | 4600-0183 26 |

22918
IOTA PI LAW GROUP
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CONFIRMATION NO. 2902
FORMALITIES LETTER



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Date Mailed: 10/29/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

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An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$1032.
 - \$72 for 4 total claims over 20
 - \$960 for 12 independent claims over 3
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter
- The balance due by applicant is \$ 1872.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below

The required item(s) identified below must be timely submitted to avoid abandonment.

- A substitute specification in compliance with 37 CFR 1.52 because
 - Papers contain improper margins. *Each sheet must have a left margin of at least 2.5 cm (1") and top, bottom and right margins of at least 2.0 cm (3/4")*

A copy of this notice MUST be returned with the reply.

09851410
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01 FC:101 40.00 CH
02 FC:105 130.00 CH

Q
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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